

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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**07CRIM. 358**

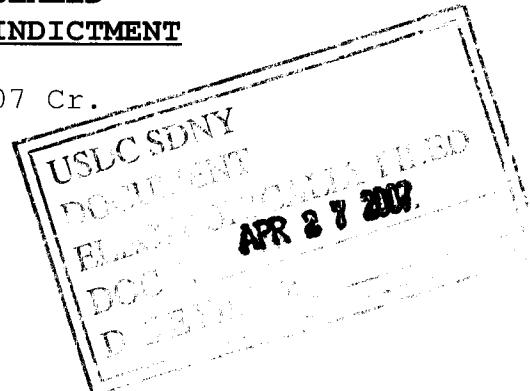
UNITED STATES OF AMERICA

- v. -

ELISA SUAREZ,  
 a/k/a "Elisa Mendez",  
 a/k/a "Elisa Suarez Mendez",  
 a/k/a "Maria Elisa Mendez",  
 VICTOR VIERA, and  
 VERONICA SUAREZ,

Defendants. :  
 ----- X**SEALED  
INDICTMENT**

-07 Cr.

COUNT ONE

The Grand Jury charges:

1. From in or about October 1997, through in or about December 2006, in the Southern District of New York and elsewhere, ELISA SUAREZ, a/k/a "Elisa Mendez", a/k/a "Elisa Suarez Mendez", a/k/a "Maria Elisa Mendez", VICTOR VIERA and VERONICA SUAREZ, the defendants, unlawfully, willfully and knowingly, did embezzle, steal, purloin, and convert to their own use money and things of value of the United States and a department and agency thereof, to wit, the United States Department of Housing and Urban Development ("HUD"), and did receive, conceal, and retain the same with intent to convert it to their own use and gain, knowing it to have been embezzled, stolen, purloined and converted, the value of which exceeded \$1,000, to wit, ELISA SUAREZ, VIERA and VERONICA SUAREZ received

approximately \$80,549.00 in federal housing subsidies, to which they were not entitled, through fraud and deceit.

(Title 18, United States Code, Sections 641 and 2.)

COUNT TWO

The Grand Jury further charges:

2. From in or about October 1997, up to and including in or about December 2006, in the Southern District of New York and elsewhere, ELISA SUAREZ, a/k/a "Elisa Mendez", a/k/a "Elisa Suarez Mendez", a/k/a "Maria Elisa Mendez", VICTOR VIERA and VERONICA SUAREZ, the defendants, together with others known and unknown, unlawfully, wilfully, and knowingly did combine, conspire, confederate, and agree together and with each other to commit offenses against the United States, to wit, to violate Section 641 of Title 18 of the United States Code.

3. It was a part and an object of the conspiracy that ELISA SUAREZ, a/k/a "Elisa Mendez", a/k/a "Elisa Suarez Mendez", a/k/a "Maria Elisa Mendez", VICTOR VIERA and VERONICA SUAREZ, the defendants, and others known and unknown, unlawfully, willfully and knowingly, would and did embezzle, steal, purloin, and convert to their own use money and things of value of the United States and a department and agency thereof, and would and did receive, conceal, and retain the same with intent to convert it to their own use and gain, knowing it to have been embezzled, stolen, purloined and converted, the value of which exceeded \$1,000, in violation of Title 18, United States Code, Section 641.

4. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about June 15, 2006, ELISA SUAREZ, a/k/a "Elisa Mendez", a/k/a "Elisa Suarez Mendez", a/k/a "Maria Elisa Mendez", the defendant, executed and certified an affidavit of income that falsely understated her income and assets, and subsequently submitted such affidavit of income to the New York City Housing Authority ("NYCHA").

b. On or about July 18, 2005, ELISA SUAREZ, a/k/a "Elisa Mendez", a/k/a "Elisa Suarez Mendez", a/k/a "Maria Elisa Mendez", the defendant, executed and certified an affidavit of income that falsely understated her income and assets, and subsequently submitted such affidavit of income to NYCHA.

c. On or about July 15, 2004, ELISA SUAREZ, a/k/a "Elisa Mendez", a/k/a "Elisa Suarez Mendez", a/k/a "Maria Elisa Mendez", the defendant, executed and certified an affidavit of income that falsely understated her income and assets, and subsequently submitted such affidavit of income to NYCHA.

d. On or about December 1, 2003, ELISA SUAREZ, a/k/a "Elisa Mendez", a/k/a "Elisa Suarez Mendez", a/k/a "Maria Elisa Mendez", VICTOR VIERA and VERONICA SUAREZ, the defendants, executed a fraudulent apartment lease for the apartment at 1660 Hunt Avenue, Bronx, New York. The fraudulent apartment lease identified VIERA and VERONICA SUAREZ as the landlords of 1660

Hunt Avenue, Bronx, New York, and falsely did not identify ELISA SUAREZ as an additional landlord of 1660 Hunt Avenue, Bronx, New York. This apartment lease was submitted to NYCHA in connection with ELISA SUAREZ's application for federal housing subsidies.

(Title 18, United States Code, Section 371.)

FORFEITURE ALLEGATION

5. As the result of committing the offenses in violation of Title 18, United States Code, Sections 641 and 371, alleged in Counts One and Two of this Indictment, ELISA SUAREZ, a/k/a "Elisa Mendez", a/k/a "Elisa Suarez Mendez", a/k/a "Maria Elisa Mendez", VICTOR VIERA and VERONICA SUAREZ, the defendants, shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offenses, including but not limited to the following:

a. At least \$80,549.00 in United States currency, in that such sum in aggregate is property representing the amount of proceeds obtained as a result of the offenses charged in Counts One and Two of this Indictment, for which the defendants are jointly and severally liable.

b. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, located at 1660 Hunt Avenue, Bronx, New York.

Substitute Asset Provision

6. If any of the above-described forfeitable property, as a result of any act or omission of the defendant(s):

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;

(3) has been placed beyond the jurisdiction of the Court;

- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 18 U.S.C. § 982(b), to seek forfeiture of any other property of said defendant(s) up to the value of the above forfeitable property, including but not limited to the following:

- a. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, located at 1660 Hunt Avenue, Bronx, New York.

(Title 18, United States Code, Sections 641 and 981 and Title 28, United States Code, Section 2461)

Grace Lamantia-Pais  
FOREPERSON

Michael J. Garcia  
MICHAEL J. GARCIA  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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Defendants.

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INDICTMENT

07 Cr.

(18 U.S.C. §§ 2, 371, 641, 981,  
28 U.S.C. § 2461)

MICHAEL J. GARCIA  
United States Attorney.

A TRUE BILL

Grace Lamachia-Paris

Foreperson.

4/27/07  
A. L. S.  
Elisa J.